

# Exhibit A

Proposed Order Granting Preliminary Approval  
of the Parties' Settlement Re: Attorneys' Fees  
And Costs; and Approval of Notice to the Class

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Jane Doe #1, et al.,  
Plaintiffs,  
v.  
Alejandro Mayorkas, Secretary of  
Homeland Security, et al.,  
Defendants.

Case No. 15-cv-250-TUC-DCB  
**[PROPOSED] ORDER  
GRANTING PRELIMINARY  
APPROVAL OF THE PARTIES'  
SETTLEMENT RE:  
ATTORNEYS FEES AND  
COSTS; AND APPROVAL OF  
NOTICE TO THE CLASS  
CLASS ACTION**  
Date: February\_\_\_\_, 2022  
Hon. David C. Bury

WHEREAS, the Parties have made an application, pursuant to Rule 23(h) of the Federal Rules of Civil Procedure, for an order preliminarily approving the Settlement Agreement, which, sets forth the terms and conditions for the settlement;

WHEREAS, this Court has read and considered the Settlement Agreement and the Joint Motion to Preliminarily Approve Settlement;

WHEREAS, this Court has read and considered the records of fees and expenses;  
and

WHEREAS this court finds that it preliminarily appears that the Settlement Agreement is fair and reasonable:

IT IS HEREBY ORDERED, as follows:

The Court hereby preliminarily approves the Settlement Agreement, [subject to further consideration at the Hearing].

The Court orders that Notice of the Settlement Agreement, in the form submitted as Exhibit B to the Parties' Joint Motion, be posted by Defendants in English and in Spanish in each of the stations in Tucson Sector Border Patrol and posted digitally on the website of the ACLU of Arizona, local counsel in this case, on the page dedicated to this litigation,

1 for fourteen (14) days beginning on XXX, 2022.

2 [The Court will hold a Hearing on \_\_\_\_\_, 2022, at \_\_\_\_\_, to  
3 determine whether the Settlement Agreement is fair and reasonable and should be  
4 approved. At the Hearing the Court will hear and rule on any objections to the Settlement  
5 Agreement. The Court may hold the Hearing by virtual or other means.]

6 IT IS FURTHER ORDERED THAT:

7 Within 14 days after the expiration of time for objections, the Parties may submit,  
8 either jointly or individually, proposed Findings of Fact and Conclusions of Law and a  
9 proposed order of final approval.

10 Pending the Court's final determination of whether it will approve the Settlement  
11 Agreement, all proceedings in this action shall remain stayed. This includes tolling the  
12 deadline for plaintiffs to file an application for the award of attorney fees and nontaxable  
13 expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412.

14 The Court may approve the Settlement Agreement, with such modifications as may  
15 be agreed to by the Parties, if appropriate, without further notice to Class Members.

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17 Dated this \_\_\_\_ day of February 2022.

18 \_\_\_\_\_  
19 Honorable David C. Bury  
20 United States District Judge  
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